

Civil Motion Practice

A. AUTHORITY TO HEAR MOTIONS

Pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), and upon an order of reference from the District Judge assigned to the case, motions will be decided either by report and recommendation or order. Dispositive motions may be referred by the District Judge for opinion and order on consent of the parties. 28 U.S.C. § 636(c)(1).

B. REQUIREMENT TO SEEK CONCURRENCE

The Court requires adherence to [E.D. Mich. LR 7.1\(a\)](#). Requirements for discovery motions are set forth under the Discovery section of these Practice Guidelines.

C. BRIEFS AND BRIEFING SCHEDULE ON MOTIONS

The Court adheres to [E.D. Mich. LR 5.1\(f\)](#) and [7.1\(f\)](#) regarding format and form of motions and briefs, and the type of briefs required and permitted. In addition, all briefs must contain an index of exhibits, and the Court suggests a table of contents for briefs over ten pages.

Deviations from the length and/or timing of briefs under these Rules must be by leave of Court. Failure to file timely briefs may result in those briefs being stricken, and untimely reply briefs may not be considered. Tendering of courtesy copies is addressed separately below.

D. HEARINGS/ORAL ARGUMENT ON MOTIONS

Except in pro se prisoner cases, the Court generally hears oral argument on civil motions. Upon filing or referral, the Court will notify the parties of the date and time of a hearing. However, pursuant to [E.D. Mich. LR 7.1\(f\)](#), the Court may cancel a scheduled hearing or decide the matter without a hearing where the issues can be decided on the briefs.

E. COURTESY COPIES

If a motion, response, or reply (including exhibits) totals more than 20 pages, a courtesy copy of the motion and exhibits shall be provided to the Court's chambers, either by hand delivery or by mail within five days of the date it was electronically filed. Exhibits on the courtesy copy must be separated by protruding tabs, and relevant portions of exhibits must be highlighted. The courtesy copy should be a filed copy containing the electronic date stamp on the top of the page. Where a filing relates to a court proceeding scheduled within the next five days or otherwise requiring the immediate attention of the Court, the chambers copy must be hand-delivered to chambers no later than the morning of the next business day after e-filing the document(s).

F. ORDERS

Generally, the Court prepares its own orders. However, if a motion is resolved prior to hearing or decision, the parties shall submit a stipulation and proposed order through the "Utilities" menu on CM/ECF or e-file a notice withdrawing the motion.